

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Ryota KATO

Group Art Unit: 2861

Application No.: 09/927,520

Examiner: H. PHAM

Filed: August 13, 2001

Docket No.: 108072.01

For: LASER BEAM SCANNER

REPLY TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

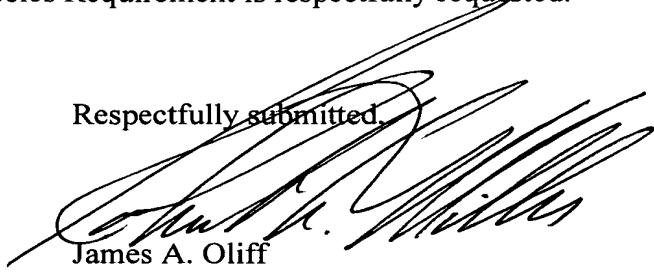
In reply to the Election of Species Requirement, forwarded by the Office Action mailed February 4, 2005, the period for reply being effectively extended to June 6, 2005 by a Petition for Extension of Time filed herewith, Applicant hereby provisionally elects Species I, claims 1-4 and 8-11. Further, it is submitted that at least claim 8 is generic to both species. This election is made with traverse.

It is also respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Further, it is submitted that two species is not an unreasonable number of species to examine. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis

added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: June 1, 2005

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